Report of the Nebraska State Board of Health For 2003

Staffed by Nebraska Health and Human Services Department of Regulation and Licensure

NEBRASKA STATE BOARD OF HEALTH

Annual Report for 2003

Adopted January 26, 2004

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GUIDING PRINCIPLES

Mission Statement: The Board of Health promotes and protects the health and safety of all people in Nebraska by providing expertise and advice on health issues to the Nebraska Health and Human Services System and others regarding:

- Regulatory and legislative issues
- Professional boards
- Educational health programs
- Public health assessment, policy development, and assurance
- Communication/coordination

Vision: Healthy people in a healthy Nebraska.

2003 BOARD OF HEALTH EXECUTIVE COMMITTEE



Executive Administrator David Montgomery, Vice Chair Linda Lazure, PhD, R.N.; Secretary Bob Sandstrom, PhD, P.T., and Chair Jim Schiefen, D.O. January 27, 2003

DEPARTING BOARD MEMBERS



Henry Balters, PhD; Dennis Hirschbrunner, P.E.; Glenn "Pat" York, D.P.M.; with Chair Jim Schiefen, D.O. July 21, 2003

NEW MEMBERS



Tim Crockett, P.E.

Tim Crockett, P.E. resides in Omaha where he is a Senior Vice President of HDR, Inc. and the Department Manager. He is responsible for the oversight and completion of all related projects within the Department. Mr. Crockett has served in the role of Project Principal on projects with numerous State of Nebraska agencies and Natural Resource Districts. In addition, he has been heavily involved with such organizations as the St. Vincent de Paul Society / Shelter, Knights of Columbus, Catholic Charities, Omaha Children's Museum, and National Multiple Sclerosis Society.

Pam List, APRN

Pam List, A.P.R.N. resides in Beemer and has been employed since 1989 by Franciscan Care Services in West Point. She practices as a Nurse Practitioner in a rural family practice as well as is involved in community outreach and education, including EMS activities, and occupational health services. Ms. List serves on the Rural Health Advisory Commission; is the President of District VI Nebraska Nurses Association; and recently completed a term as chairperson of the Northeast Health Care Partnership, which was instrumental in working to establish multicounty health departments in northeast Nebraska. She also represents Cuming County on the Elkhorn Logan Valley Health Department. Ms. List is currently pursuing her post-masters certificate in psychiatric advanced practice nursing at UNMC.



Clint Schafer, D.P.M.

Clint Schafer, D.P.M. is a life long resident of Nebraska. He grew up in Alliance with the exception of when he attended school in Chicago 1986-1990 (Scholl College of Podiatric Medicine) and during residency (surgical) at Norwegian American Hospital in Chicago 1991. He attended Chadron State 1981-1986. He has been in private practice in North Platte since 1991 after completing his residency. Dr. Schafer is active with Great Plains Regional Medical Center serving on credentials as well as a Medical Executive. He is Chief of Staff Elect and will start his two year term on January 1, 2004.

Chairman's Report Nebraska State Board of Health - 2003 James Schiefen, D.O.

In 2003, the Nebraska State Board of Health continued to serve the State in Public Health issues. The Board's role in Health and Human Services continues to evolve. With the passage of LB56, the Board is better able to serve the people of the State through its duties with the H.H.S. System.

Several Board members continue to serve the system through Nebraska Credentialing Reform 2000, Nebraska Center for Nursing Board, Turning Point Public Health Collaboration, State Trauma Board, and HHS Partnership Council. This brings important public health issues back to the Board.

The Board's working committees continue to be very active in identifying public health issues, developing public health initiatives and educational programs. Several important technical issues have been completed, including a very thorough, concise and expedited review of CADACs. Reviews of proposed, new and old regulations within the system continued to help HHS serve and protect Nebraskans.

Professional board appointments were completed with an ever growing pool of top notch candidates.

The Board role in the HHS System continues to be defined and developed. Through this the people of the State of Nebraska continue to be well served, protected, and educated. The Board continues to be committed to Nebraska and through it very dedicated members continue to provide a very important set of functions. The HHS Staff continues to provide excellent support to make this possible, we all applaud and thank them for their service.

2003 BOARD OF HEALTH FACT SHEET

STATUTORY AUTHORITY:

• N.R.S. 71-2601 through 71-2610

MEMBERSHIP:

- 17 members appointed by the Governor for five year terms. See Attachment I for detailed information.
- 3 officers elected during November meeting

PROFESSIONAL BOARD APPOINTMENTS:

• 108 applicants; 76 interviewed; 27 appointed. See Attachment II for detailed information.

RULES AND REGULATIONS:

• 10 sets approved; 35 sets reviewed. See Attachment III for detailed information.

CREDENTIALING REVIEWS:

- Occupational Therapists
- Certified Alcohol and Drug Abuse Counselors

PUBLIC HEALTH, EDUCATION & LEGISLATION:

- LB 56 passed March 14, 2003
- Resolution supporting the Lincoln Smokefree Air Act; issued September 22, 2003
- Researched tattooing and body art

REPRESENTATION ON OTHER COMMITTEES:

- Nebraska Center for Nursing
- Nebraska Credentialing Reform
- PREP (Periodic Review and Evaluation Process) for Funeral Directors and Embalmers
- PREP for Physical Therapists
- Nebraska Rural Health Advisory Committee
- Partnership Council for Health and Human Services (until August 2003)
- Turning Point Public Health Collaboration
- State Trauma Board

CONTACT INFORMATION:

- David Montgomery, Executive Administrator or Monica Gissler, Health Program Manager
- Telephone 402/471-6515; Fax 402/471-0383
- Email monica.gissler@hhss.state.ne.us
- Web site: http://www.hhs.state.ne.us/reg/bdhealth.htm
- Address: State Board of Health, R&L Admin, P.O. Box 95007, Lincoln, NE 68509-5007 (located at 301 Centennial Mall South, 3rd floor)

Highlights of the Nebraska State Board of Health For Year 2003

The Nebraska State Board of Health worked hard during 2003. They conducted six regular meetings, one of which was held at Creighton University in Omaha. In addition, there were two separate meeting days for the Professional Boards Committee to interview professional board applicants, one meeting for the Executive Committee and committee chairs to conduct planning sessions, and one more meeting for legislative planning. Members assigned to the Credentialing Review Committee and their Technical Review Committees had several meetings to attend. There were also several separate meetings of Board members to meet with their professional associations, professional boards, community organizations, legislative representatives, and the Health and Human Services System leadership.

On January 27th, 2003, the Board of Health took a new leadership direction. Former Chair Steve Wooden resigned his position on the Board after being elected to his local City Council in Broken Bow. Dr. Jim Schiefen was then elected to the office of Chair. Dr. Hank Balters, longterm Secretary of the Board, completed his second five-year term on the Board, and Dr. Bob Sandstrom was elected to serve as our new Secretary. Dr. Linda Lazure was re-elected as Vice Chair. A statutory change in 2003 moved the Board of Health election timeframe from January to the last calendar quarter. On November 17, 2003, Dr. Schifen, Dr. Lazure, and Dr. Sandstrom were all re-elected as Board officers for 2004.

On January 27th, Board of Health members hosted a legislative luncheon at the Nebraska Bar Foundation in Lincoln. Members of the Health and Human Services Legislative Committee and key staff were invited.

LB 56 was passed by the Legislature 45 to 0 on March 14th, and was signed in to law by Governor Johanns with an operative date of October 1, 2003. Highlights from this bill include changing some powers and duties; adding immunity from liability for Board of Health members in the regular performance of their duties; changing the election time; changing the end date of appointment terms; and adding the availability of the Board of Health to act as mediators for professional boards and associations.

The Board of Health met at Creighton University in Omaha on March 17, 2003 and toured their new Science Center. The Board received presentations by Dr. Adi Pour, Director of Douglas County Health Department, and Jim Sitrick, Director of Sarpy/Cass County Department of Wellness. Dr. Joanne Schaefer, Deputy Chief Medical Officer for the Nebraska Health and Human Services System, presented on current bioterrorism preparedness around the state, and the Health Alert Network. PEaCH (Prenatal and Early Childhood Home Visitation Program) was also presented. When the Board of Health meets outside of Lincoln, they still conduct all regular Board business, such as interviewing applicants for professional board positions.

Several Board of Health members attended the HHS Regulation and Licensure, Credentialing Division's "All Boards Meeting" held on June 27th at the Nebraska Center for Continuing Education in Lincoln. This annual meeting is an excellent opportunity for board members and staff at all levels to network with professional board members and staff, receive training and hear about issues with wide impact.

Two Board of Health members (Dr. Linda Lazure and Ms. Andrea Nelson) serve on the Nebraska Credentialing Reform 2000 Implementation Team for Health Care Professionals and one BOH member serves on the Nebraska Center for Nursing Board (Dr. Lazure). In addition, one member (Pam List) serves as liaison to the Turning Point Public Health Collaboration through the Office of Public Health. Ms. Linda Heiden, Board of Health public member, served on the HHS Partnership Council until they ceased to exist in August, 2003. Dr. Kent Forney serves as liaison to the HHS Committee on Terrorism.

In 2003, the Nebraska Credentialing Reform Steering Committee developed a new system call PREP – Periodic Review and Evaluation Process. Two pilot studies began in the fall, with a Board of Health member assigned to each: Dr. Jerry Vaughan serves on the Funeral Directors and Embalmers review, and Dr. Sam Augustine serves on the Physical Therapy review. All Board of Health members receive regular updates on this process from HHS staff member Mary Maahs Becker, with opportunities to critique, ask questions, and provide input.

The Board of Health revised their By-laws in September 2003. Major changes included responsibilities of officers, committee protocol, and other minor changes to make them consistent with changes from LB 56. Board of Health by-laws are available for review by the public upon request.

Attachment I is a complete listing of members and standing committees.

Activities and duties taking the most time and attention for Board members during 2003 include:

- 1. Appointments to professional boards;
- 2. Attending individual professional board meetings;
- 3. Review and/or approval of agency rules and regulations;
- 4. Public health initiatives:
- 5. Participation in the Credentialing Review Program (formerly known as 407), finalizing the Occupational Therapy review; and conducting an accelerated review of Certified Alcohol and Drug Abuse Counselors. Both the OT and CADAC reviews resulted in legislation to be introduced in the 2004 session.
- 6. Ongoing review of statutes and by-laws affecting the governing of the Board.

PROFESSIONAL BOARDS:

The Board of Health has a statutory requirement to make appointments to 23 health care professional boards managed by HHS Regulation and Licensure. The Board of Health is in awe of the tremendous number and dedication of Nebraskan's who are willing to volunteer many hours and days to serve on these boards, many at no pay.

The Board has an active policy in place to seek a diverse range of applicants to fill the various vacancies, taking into account such factors as ethnicity, gender, geography, and professional practice specialty, while still meeting any statutory requirements in place for representation on specific boards. Professional boards are queried as to what type of applicants will best round out their boards, i.e., needing representation from a specific practice area, and the Board of Health strives to appoint the best applicant to meet this goal. Applicants complete an application, and are invited to interview before the Professional Boards Committee. They are given a preference sheet to try to accommodate their availability schedule for interview. Those who are unable to interview over the two-day period in October are offered the option to interview the morning of the November regular meeting. Most of the appointments are made every year at the November meeting, several at the March meeting and others as unexpected vacancies occur throughout the year. The 27 appointments made in 2003 from the 108 applicants are listed in Attachment II. The Board could not accomplish this great task without the hard work and cooperation of staff from Regulation and Licensure, Credentialing Division.

In 2000, Board of Health members started actively attending the various professional board meetings, and continue to do so. They appreciate the opportunity to learn how the boards function, and what if anything the Board of Health can do to aid the various professional board efforts. Board of Health members share lessons learned from their experiences at the various professional board meetings with their fellow Board members, and consider this to be an important activity. This is particularly helpful in filling board member vacancies.

Board members this year worked on a plan to increase interview attendance by applicants by accommodating the schedules of as many applicants as possible. In recent years, applicants were notified of the date for interviews to be held in Lincoln and encouraged to attend. This year, the Board of Health selected two consecutive dates on a Sunday and Monday in October, and asked applicants to select their preferred time session on either or both days. Of the four choices given, all applicants were able to be interviewed at either their first or second choice of timeframe. Applicants were also given approximate interview times, as opposed to the previous method of being interviewed by order of sign in, thus causing some applicants to have to wait several hours to be interviewed. By conducting interviews over a two-day period, it allowed Professional Board Committee members to spend more time with each applicant, and ultimately make better appointments to the professional boards.

Goals for 2004 include increasing public member repeat applicants, increasing minority representation on professional boards, and development of a screening tool to use while conducting interviews for professional board applicants.

Information on board vacancies may be found on the Health and Human Services System web site. Press releases are issued, direct mailings are sent to professional and civic organizations, information is included in licensure renewal packets, and articles appear in the Health and Human Services newsletter.

RULES AND REGULATIONS:

The Board of Health has two separate roles in regard to agency rules and regulations. N.R.S. 71-2610 states the Board of Health shall advise the department regarding rules and regulations for the government of the Department of Health and Human Services, Regulation and Licensure. Most regulations falling into this category deal with health care facilities. These regulations are first reviewed by the Rules and Regulations Committee, then brought before the entire Board for review. This is a change from past years when separate committees reviewed regulations for "advice" versus those for "approval." Board of Health members have a diverse range of expertise, but to ensure they understand the scope and technicalities contained in these regulations, they rely on HHS staff to summarize the purpose of the proposed regulations and also attend Board of Health meetings to answer questions. The Board appreciates the efforts of Joyce Davidson in coordinating this activity.

The Board also has the power and duty per N.R.S. 71-2610.01 to adopt and promulgate rules and regulations for the government of the professions and occupations licensed, certified, registered, or issued permits by the Department of Health and Human Services, Regulation and Licensure, including those rules and regulations necessary to implement laws enforced by the department. These regulations are first reviewed by the Rules and Regulations Committee, then voted on by the entire Board of Health.

During 2003, the Board of Health approved 10 sets of regulations, and reviewed an additional 35 sets, as listed in Attachment III.

PUBLIC HEALTH INITIATIVES:

The State Board of Health has a policy in place to recognize outstanding work in community health promotion. They seek nominations from any Nebraskan who is aware of community health promotion activities across the state or entities that work directly with communities in efforts to improve and enhance their health. Nominations are accepted continually throughout the year and are reviewed by the Board of Health every other month. Award recipients receive a framed certificate and HHS issues a press release to area newspapers to announce the award.

Agencies and organizations are encouraged to continue nominating worthy public health efforts for recognition. Call 402/471-6515 for more information on this recognition program, or on the ICHC program above.

Other public health activities during 2003 include:

- Ongoing meetings with the Nebraska Partnership of Local Health Directors. Monica
 Gissler, Board of Health Program Manager, attended a two day PHAN meeting held
 in Grand Island on October 9-10 for training of local boards of health. The State
 Board of Health is proud to be a member of both the Public Health Association of
 Nebraska and the National Association of Local Boards of Health (NALBOH);
 Monica Gissler attended their annual meeting held in Baltimore July 16-19.
- Dave Palm and staff from the HHS Office of Public Health provide ongoing briefs to the Board of Health on Healthy People 2010 Objectives for Nebraska.
- A Resolution was issued September 22, 2003 in support of the Lincoln Smokefree
 Air Act. Primary smoking is the number one cause of preventable deal in the United
 States; exposure to environmental tobacco smoke (ETS) is the third leading cause of
 preventable death; and nearly 2,500 Nebraskans die from smoking-related causes
 annually.
- Current public health topics under review by the Board of Health: tobacco and other chemical dependencies, obesity, alcoholism, drinking water, medically dangerous drivers, school bus seat belt use, bioterrorism, and high voltage transmission lines, and mental health programs in Nebraska.

CREDENTIALING REVIEW PROGRAM:

The Credentialing Review Committee continues to discuss the process for professional reviews. They are trying to eliminate the discrepancy of three reports to the legislature and combine it into one report: technical review committee, Board of Health review, and Director of Regulation and Licensure. They are coordinating their efforts with the Nebraska Credentialing Reform 2000 (NCR2000) ongoing implementation activities. Primary activity for this committee in 2004 were completing the review of Occupational Therapists and conducting an accelerated review of Certified Alcohol and Drug Abuse Counselors.

BOARD AUTHORITY:

The Board of Health exists and functions as a result of Nebraska Revised Statutes 71-2600 through 71-2610. In 2000, the Board developed a legislative bill to update provisions of the bill, many just to make the statute in agreement with actual current

practice. Their efforts culminated in LB 331, which was introduced by Senator Jensen in January 2001. This bill was rewritten with the cooperation of the Nebraska Hospital Association, and has been introduced by Senator Byars as LB 56 in the 2003 Legislative session. The bill passed in March, with an October 1, 2003 operative date. The Board operates under formal by-laws, which were last revised on September 22nd, 2003. By-laws are available upon request.

COMMITTEES:

The Board of Health has five standing committees: Professional Boards; Credentialing Review; Public Health, Education and Legislation; Rules and Regulations; and a Review Panel. Individual reports from the 2003 Committee Chairs are Attachments V a-d of this report.

OTHER ISSUES:

- Upcoming meetings. Year 2004 meeting dates are: January 26, March 15, May 17, July 19, September 20, and November 15. The September meeting will be held in Scottsbluff.
- For copies of minutes, information on upcoming meetings, and general information regarding the Board of Health, please contact: phone: 402/471-6515, fax 402/471-0383, or email at monica.gissler@hhss.state.ne.us.

Membership

In accordance with N.R.S. 71-2601, the State Board of Health consists of seventeen members in the following categories: Two members shall be licensed to practice medicine and surgery in this state, one member shall be licensed to practice dentistry in this state, one member shall be licensed to practice optometry in this state, one member shall be licensed to practice veterinary medicine in this state, one member shall be licensed to practice pharmacy in this state, two members shall be licensed to practice nursing in this state, one member shall be licensed to practice osteopathic medicine and surgery or as an osteopathic physician in this state, one member shall be licensed to practice podiatry in this state, one member shall be licensed to practice chiropractic in this state, one member shall be a professional engineer in this state, one member shall be an administrator of a hospital in this state, one member shall be a credentialed mental health professional, and two members shall be public members. Members are appointed by the Governor with the consent of a majority of the members of the Legislature, and serve up to two five-year terms. The Governor is an ex officio member of the Board.

The following page is a current roster of members. Four new members were appointed during 2003, and five terms expire during 2004. Chairman Wooden resigned effective immediately following the January 27th, 2003 meeting, following his recent election to the City Council of Broken Bow. Dr. Schiefen was then elected to the office of Chair.

NEBRASKA STATE BOARD HEALTH - MEMBERSHIP LIST

Jeff Akerson, MD 2423 Deaver Dr Sidney, NE 69162 308/254-5544, F-254-2672 sma.jdakerson@y10000.net (1 Aug 04)

Sam Augustine, RP, PharmD 9514 Grover St Omaha, NE 68124 402/559-5774, F 559-5673 saugusti@unmc.edu (1 Aug 04)

Gary Bieganski Community Hospital, PO Box 1328 McCook, NE 69001-1328 308/345-8303, F-345-8572 (1 Aug 05) nschmidt@chmccook.org (his assistant)

Tim Crockett, PE 13529 Taylor St Omaha NE 68114 402/399-1257, F 399-1111 tcrocket@hdrinc.com (01 Aug 08)

Kent Forney, DVM 5720 Old Cheney Road Lincoln, NE 68516 402/423-9100, F-423-9171 kfdvm@aol.com (01 Aug 08)

Linda Heiden
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David Hoover, DDS 245 S. 117th Ave Omaha, NE 68154 402/397-8717, F 397-8424 dehmah@aol.com (01 Aug 04)

R. Charles Ihle, DC 3800 Central Avenue Kearney, NE 68847 308/237-3123, F 237-2771 ihle@kdsi.net (01 Aug 05)

Linda Lazure, PhD, RN (Vice Chair) 2321 Country Club Avenue Omaha, NE 68104 402/280-2001, F-280-2045 Ilazure@creighton.edu (01 Aug 04)

Pamela List, APRN 330 Lambrecht St. Beemer, NE 68716 402/372-5904, F-372-6773 plist@fcswp.org (01 Aug 05) Andrea Nelson 2430 South Canterbury Lane Lincoln, NE 68512 402/423-0663 (01 Aug 05) NelAndroid@cs.com

Robert Sandstrom, PhD, PT (Secretary)
Creighton University, Dept of PT
2500 California Plaza
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402/280-4325 F 280-5692 rsandstr@creighton.edu
(01 Aug 05)

Clint Schafer, DPM 1301 S Willow St North Platte, NE 69101 308/532-3600 F 532-6288 Schaferclint@hotmail.com (01 Aug 08)

James Schiefen, DO (Chair) PO Box 95 Imperial, NE 69033 308/882-7247, F-882-5050 schiefen@gpcom.net (01 Aug 04)

Leslie Spry, MD 7520 N Hampton Road Lincoln, NE 68506 402/484-5600 F-484-5630 lspryguy@aol.com (1 Aug 05)

Jerry Vaughan, OD Prairie Eyecare Center PO Box 506 Broken Bow, NE 68822 308/872-3215, F 872-3122 pe45928@navix.net (14 Sep 08)

Gwen K. Weber, PhD 8309 Jackson St Omaha, NE 68114 W 402/556-1516; F gweber@mail.unomaha.edu (1 Aug 08)

David Montgomery, Executive Administrator R&L Admin Services, PO Box 95007 Lincoln, NE 68509-5007 402/471-6515, F-471-0383 dave.montgomery@hhss.state.ne.us

Monica Gissler, BOH Program Manager R&L Admin Services, PO Box 95007 Lincoln, NE 68509-5007 402/471-2948, F-471-0383 H-332-0010 monica.gissler@hhss.state.ne.us

www.hhs.state.ne.us Dates indicate expiration of terms Updated: 1-6-04

Professional Licensing Board Appointments

The State Board of Health made the following appointments during 2003. Incumbents are indicated with an asterisk

January

• **Board of Environmental Health Specialists:** Doug Clark, REHS, from Gretna to the professional member position for the term of January 27, 2003 through December 31, 2005.

March

- Physician Assistants Committee:
- Randy Kohl, M.D., from Firth to be appointed to serve as the Medical Board member for the term of April 17, 2003 through April 16, 2007
- Paul Shellabarger, P.A., from Cambridge to serve as the Physician Assistant member for the term of April 17, 2003 through April 16, 2007.

May, July, and September – no appointments

November

- **Cosmetology:** For Cosmetology Member reappoint Judith Roubal* of Lincoln for term starting December 1, 2003.
- Registration for Environmental Health Specialists: Professional Member reappoint Michael Gould, REHS of North Platte; Laymember reappoint Leslie Olson of York. Both terms start January 1, 2004.
- **Hearing Aid Instrument Dispensers and Fitters:** No applicants for Professional Member, so this position will be readvertised for the January Board of Health meeting. For Otolaryngologist Member, Edward Cohn, MD of Omaha. Term starts December 26, 2003.
- Massage Therapy: Appoint Gail Anderson of Lincoln as Public Member; and reappoint Sue Kozicek* on Lincoln as Professional Member. Both terms start December 1, 2003.
- **Medical Nutrition Therapy:** Reappoint James Lane, MD* of Omaha as the Physician Member. Term starts December 1, 2003.
- **Medicine and Surgery:** Reappoint Arthur Weaver, DO* from Omaha as the Osteopathic Physician Member. Both terms start December 1, 2003.
- Mental Health Practice: Appoint Layne Prest of Omaha as the Certified Marriage & Family Therapy Member; Appoint Susan Meyerle, PhD of Lincoln as the LMHP member. Appoint John Atherton of Omaha as the Certified Professional Counselor Member; and appoint Gail Lorenzen of Ceresco as the Public member. Terms for Prest and Meyerle start November 17, 2003; others begin December 2, 2003.
- **Nursing:** Appoint Sandra Mann of Burwell as the Consumer Member; Appoint Jacqueline Ross, BSN of Omaha as the Nursing Service Administrator Member; and appoint Nancy Gondringer, CRNA of Lincoln to the Advanced Practice or Specialty Nursing Position. All terms begin December 2, 2003.

Attachment II

Professional Licensing Board Appointments

Continued

- Examiners in Nursing Home Administration: Reappoint David Creal* of Omaha as the Proprietary Home Member; Appoint Keith Fickenscher of Lincoln as the Nonprofit Home Member; and Reappoint Theresa Parker* of Lincoln as the College Faculty Member. All terms begin December 1, 2003.
- Occupational Therapy Practice: For the Public Member position, appoint R. McLaran Sawyer, PhD of Lincoln. Term begins November 17, 2003. The Professional Member position will be readvertised and appointed on January 26th, as there was only one qualified applicant.
- **Pharmacy:** Appoint Kevin Borcher of Omaha as the Hospital Pharmacist Member. Term begins December 1, 2003.
- **Psychologists:** Appoint Daniel Bizzell, EdD of Kearney as the Professional Member. Term begins December 1, 2003.

RULES AND REGULATIONS

Regulations for Review:

January and March: None

May:

- Review of 179, Chapters 2-4, 11-14, and 16-19, Public Water Systems
- Review of 178 NAC, Chapter 12, Water Well Construction, Pump Installation, and Water Well Decommissioning Standards
- Repeal of 177 NAC 3, Prenatal Serology

July:

- New Title 186, Health Registries and Release of Information, New Chapters:
 - 1 Cancer Registry. Dr. Spry stated that these registries are an example of unfunded mandates, and that the benefits are sometimes questionable.
 - 2 Brain and Head Injury Registry
 - 3 External Cause of Injury Registry
 - 4 Parkinson's Disease Registry
 - 5 Release of Medical Records and Health Information
- With adoption of Title 186 and Chapters 1-5, Vital Statistics Title 174, the following Chapters are being REPEALED:
 - 5 Rules and Regulations Governing Cancer Registry of the State of Nebraska
 - 15 Rules and Regulations Concerning the Brain and Head Injury Registry of Nebraska
 - 16 Rules and Regulations Governing the External Cause of Injury Registry
 - 17 Rules and Regulations Governing Parkinson's Disease Registry of Nebraska
- Title 175, Health Care Facilities and Services Amended Chapters
 - 3 Centers for the Developmentally Disabled (fees only)
 - 4 Assisted Living Facilities
 - 5 Adult Day Services
 - 7 Health Clinics
 - 8 Pharmacies
 - 9 Hospitals
 - 12 Skilled Nursing Facilities, Nursing Facilities, and Intermediate Care Facilities
 - 14 Home Health Agencies
 - 15 Respite Care Services
 - 16 Hospice
 - 17 Intermediate Care Facilities for the Mentally Retarded
 - 18 Substance Abuse Treatment Centers
 - 19 Mental Health Centers

September – none

November:

- Title 177 Chapter 1, Analysis for the Determination of the Alcohol Content in Blood or Breath
- Title 178, Chapter 2, Operation and Management of Public Swimming Pools.
- Title 178, Chapter 4, Design Regulations for Swimming Pool Standards.
- Title 179, repeal of Ch 2-006 and replace with new Chapter 6, Variances and Exemptions. Jack Daniel reviewed. Adopts same language as the federal government.
- Title 179, repeal section 2-008 effective May 1, 2004 and replace with the new chapter 21, Operation and Maintenance of Transient Non-Community Public Water Systems.
- Title 179, Chapter 2-009 repeal and replace with a new Chapter 9, Permit to Operate a Public Water System.

Regulations for Approval:

January: None

March

- 172 NAC 38, Schools of Electrology
- 172 NAC 81, Massage Therapists
- 172 NAC 82, Massage Therapy Establishments
- 172 NAC 83, Massage Therapy Schools

May

• 172 NAC 37, Practice of Physical Therapy

July

- 172 NAC 168, Practice as an Environmental Health Specialist
- 172 NAC 11, Certification of Out-of-Hospital Emergency Care Providers
- 172 NAC 12, Emergency Medical
- 172 NAC 13, Emergency Medical Services Training Agencies

September & November – none

If you would like more information on any of these sets of regulations, please contact the Regulatory and Integration Analysis Division at 402/471-9022. Regulations are available for viewing on the HHS web site.

RESOLUTION ON THE LINCOLN SMOKEFREE AIR ACT BY THE NEBRASKA STATE BOARD OF HEALTH

The Mission of the Nebraska State Board of Health is to promote and protect the health and safety of all people in Nebraska by providing expertise and advice on health issues to Nebraska Health and Human Services System and others.

The Nebraska State Board of Health, in the furtherance of its mission and responsibilities, finds that:

- 1. Primary smoking is the number one cause of preventable death in the United States;
- 2. Exposure to environmental tobacco smoke (ETS) is the third leading cause of preventable death; and
- 3. Nearly 2,500 Nebraskans die from smoking-related causes annually.

WHEREAS,	the Lincoln Lancaster County Health Department has introduced the Lincoln
	Smokefree Air Act to their Board of Health, for forwarding to the Lincoln
	City Council on November 3, 2003, and

whereas, the Center for Disease Control and Prevention estimate 35,000 nonsmokers die from second hand smoke annually, and

whereas, the Environmental Protection Agency classifies second hand smoke as a Class A carcinogen, and

WHEREAS, bar and restaurant workers are exposed to second hand smoke at levels at least three times higher than other workers.

NOW, THEREFORE, BE IT RESOLVED:

- 1. That the Nebraska State Board of Health supports the Lincoln city ordinance known as the Lincoln Smokefree Air Act, and
- 2. That this resolution be distributed to the Governor, Nebraska Health and Human Services System Policy Cabinet, the Lincoln City Council, Mayor of Lincoln, and state legislators.

Adopted this 22nd day of September, 2003.

Signed by:

James Schiefen, D.O., Chair Nebraska State Board of Health

Attachment IV

RESULTS FROM THE PROFESSIONAL BOARD APPLICANT – CUSTOMER SATISFACTION SURVEY

SCOPE: This survey was sent to all applicants from the October/ November 2003 professional board interview cycle. The purpose was to determine what we are doing right with the professional board recruitment and appointment process, and what can be improved upon. There were 98 qualified applicants, and 65 of those chose to interview before the Board of Health. 41 applicants completed and returned a customer satisfaction survey; 34 of those indicated they had appeared for an interview before the Board of Health.

PROCESS: Surveys were mailed out on November 18th by Credentialing Division staff, and were included with the letter informing applicants of who was appointed by the Board of Health on Novembers 17th for the specific position for which the applicant had applied. A return addressed, postage paid envelope was attached to the survey.

ALL APPLICANTS were asked to complete questions 1-6. Only those candidates who actually interviewed should have completed the additional questions 7-9.

Responses are underlined following each question, or component of each question.

- 1. How many times have you applied for an appointment to a professional board?
 - a. First time 21 or 51% 2-3 times 17 or 42% 4 or more times 3 or 7%
 - b. Would you apply again for a future vacancy? Yes 18 or 44% (95% of responders) No 1 or 2% (5% of responders to this question)
- 2. How many times have you interviewed for a board position (including this interview)? First time 26 or 65% 2 or more times 10 or 25% never interviewed 4 or 10%
- 3. How did you learn about the vacancy?

Professional association 13 or 32% newspaper 1 or 2% website 0 credential renewal 11 or 27% other 14 or 34%

- 4. Did you apply for a professional member or public/lay member position? (optional question) Professional 33 or 83% Public / Lay member 7 or 17%
- 5. Did you have a good understanding of the overall appointment process based on the information sent to you by staff or contained on the website/news release?

Yes 36 or 90% No 4 or 10%

5a. If NO, Did you contact staff for more information or clarification?

Yes 2 or 40% No 3 or 60%

5b. If YES, did staff follow up appropriately?

Yes 3 or 75% No 1 or 25%

6. Did the choice of interview days and times work well for you?

Yes 36 or 90%

No 4 or 10%

If NO, please comment.

Additional questions for applicants appearing for an interview; 34 responders.

7. Was your interview day / time preference honored?

Yes 31 or 91%

No 2 or 6%

Don't remember 1 or 3%

8. Was the length of the interview appropriate?

Yes 19 or 56%

No – too long 1 or 3%

No – too short <u>14 or 41%</u>

9. Do you feel you were treated fairly and with respect?

Yes 31 or 91%

No <u>3 or 9%</u> If no, please comment.

Additional comments:

- 1. No information was given to me about the procedure or purposes of the interview. It would be nice if applicants were given more information in the weeks ahead of the interview about the interview (how long, how many people in attendance) and its purpose.
- 2. I enjoyed the process!
- 3. Thank you for the opportunity to comment. I believe the interview process is too short to get a real assessment of the people whom you interview. While it tells who can think on their feet quicker, I feel that it is not a good measure of what the interviewees are about. I would be interested in applying for future vacancies.
- 4. I felt most of the questions asked would not provide the insight necessary in determining my effectiveness on the board.
- 5. I believe I had the most appropriate and extensive credentials, experience and expertise for the faculty appointment. I know the other two candidates. In future, if this is merely a formality, given you already made a choice, don't take the time of us who thought we had a chance.
- 6. Question 1, would you apply again: Only if the process changes.
- 7. Question 5, appointment process: could have been a little more informed in advance.
- 8. Question 5, appointment process: The information should have been clarified in detail. Would have been nice to know the criteria in advance.
- 9. Question 6, interview date/time: interview date initially didn't work for me, then staff was willing to work with me to reschedule.
- 10. Question 6, interview date: Liked it very well, as I did not have to wait long.
- 11. Question 6, interview date: The reappointment interview was not worth the long drive across the state. A staff person suggested I have a fellow professional board member appear on my behalf, and this worked well.
- 12. Question 6, interview date: I was originally offered one time period for interview, and thought it would exclude my participation until I was contacted by the Board and offered an alternate date.
- 13. Question 8, length of interview: Length was extremely short; took 5 minutes. My interview seemed to have interrupted the lunch hour. Board members did not seem interested in what I had to say. There were 3 people total who asked me questions. I appreciate being asked for comments. Thank you Monica for your hospitality, generosity and friendliness.
- 14. Question 8, length of interview: Long way to drive for a 10 minute event.

- 15. Question 8, length of interview: Didn't know beforehand how interview was to be conducted i.e., the interview committee wanted a short presentation of my *platform* rather than asking me many questions. Not the typical interview I expected.
- 16. Question 8, length of interview. I guess with my knowledge of interviewing, I expected more or something different. This is an important position, and a 10 minute interview process was a little shocking to me. I expected at least 30 minutes. I had to wait 2 hours for my interview, and didn't feel I could go over my allotted 10 minutes before the board. It would have been nice to know the process and time allowed before the interview day. Three Board members asked me questions. Maybe only these three should conduct the interviews. Would think that based off what was sent in, you could screen from there, select top 4, and give them time for a meaningful interview. I know when you got to us you had been interviewing all day, but think the process should be looked at. I would never tell another professional that people who are sitting on our board are selected by a 10 minute process it doesn't send the value of the position. I would apply again, but hope the process changes.
- 17. Question 9, treated fairly: I was asked about my continued education. I don't think it is recommended for a student going into a job. But someone going into shop ownership yes. Our students don't have a clue about so much but the *basics* must be learned.
- 18. Question 9, treated with respect: had to wait about two hours.
- 19. Question 9, treated fairly: Yes, but it is difficult to respond when not knowing what the board is looking for in a candidate.
- 20. Question 9, treated fairly: When the board found out I was here before, it was like "she tried again" but oh well, as your decision was already made. Outside of the board and working with the public is a lot different. Taking the practical exam away is wrong. As some students can do better there than on the written. Please reconcile this.
- 21. Question 9, treated with respect: This was the most denigrating interview experience I have ever had. I had to wait for 1.5 hours before anyone ushered me to the interview. I had an appointment time which I kept but the board did not. I was photographed which is an insult. If they can't remember who I am they have too much to do. I was not introduced to the interviewers and was asked 3 questions and ushered out. This is no way to treat anyone, much less a volunteer. There were many people waiting a long time for many interviews for many positions. The process was very disorganized and there was no reason given or apology given for the long wait. It is a waste of tax payers' money to conduct State business in this manner.
- 22. Question 9, treated with respect: I had no idea who the interviewers were.

CONCLUSIONS:

- A. Half of the responders were first time applicants.
- B. Only one responder said they would not apply for a future board position.
- C. Only one responder learned of the vacancy through the news media or web site.
- D. 90% of responders responded that they understood the overall appointment process prior to the day of the interview.
- E. Several responders indicated they would have liked to know more about the *interview* process prior to the day of the interview as well.

- F. 90% of responders indicated that the choice of interview dates and times worked well for them
- G. 91% of responders were pleased with their interview date / time.
- H. 56% of responders responded that the length of interview was appropriate.
- I. 41% of responders felt the interview length was too short, and wish they had understood the time limits prior to the interview day.
- J. 91% of responders felt they were treated fairly and with respect.
- K. Only one negative comment was received regarding the taking applicant photographs.
- L. Two responders suggested there be an application screening process, and only serious candidates be interviewed.
- M. Staff and Board members were accommodating on rescheduling interviews.

To: Members of the Nebraska State Board of Health

From: Andrea Nelson, Chair, Professional Boards Committee

Subject: 2003 Annual Report of the Professional Boards Committee of the

Nebraska State Board of Health

Date: November 17, 2003

Committee Duties and Responsibilities:

In January, 2003 Chairman Schiefen established the following goals for this committee:

- Explore developing an internal document to guide the Committee in their recommendation process. Determine the benefits of having written guidelines for the selection process, what those guidelines should consist of, and under what conditions the guidelines should be applied.
- Work with staff in order to improve the pool of applicants for appointments, identifying professional associations, and working with professional associations to encourage compliance with the intent of statute in relationship to professional association recommendations.
- Enhance communication and cooperation between the Board of Health and the professional boards, and among the professional boards.

Committee Members:

Jeff Akerson, MD; Henry Balters, PhD; Linda Heiden, Vice Chair; Charles Ihle, DC; Pam List, APRN; Andrea Nelson, Chair; and Pat York, DPM.

Activities for 2003:

January:

- Doug Clark, REHS, from Gretna was appointed to the professional member position on the Board of Environmental Health Specialists for the term of January 27, 2003 through December 31, 2005.
- At the request of Board members, staff modified the letter sent to eligible incumbents to encourage them to come to the interview. Board of Health members use this as an opportunity to learn from the incumbents' experiences on the various professional board, and make better appointments overall.

March:

- The following individuals were appointed to the Physician Assistants Committee:
 - Randy Kohl, M.D., from Firth to be appointed to serve as the Medical Board member for the term of April 17, 2003 through April 16, 2007.
 - Paul Shellabarger, P.A., from Cambridge to serve as the Physician Assistant member for the term of April 17, 2003 through April 16, 2007.
- Dr. Schiefen encouraged all Board members to try to attend at least one meeting of a professional board of their choosing, and to share what they learn with the Board of Health.

May:

Board of Medicine and Surgery. Six of the eighteen applicants appeared for interview earlier
in the day. Another six of the original applicants were found not be have met the statutory
requirements for this position. After the interviews, it was determined that one additional
applicant (who had interviewed) was not eligible to serve based on current employment with
the Nebraska State Legislature. David Dryburgh, from Seward, was appointed to serve as the
Public Board member for the remainder of the current term of May 19, 2003 through
November 30, 2004.

July:

 Monica Gissler prepared a customer satisfaction survey to be sent to all professional board applicants immediately following the November 17th Board of Health meeting. Results will be included in our 2003 annual report, and help the Board to improve in the overall appointment process for the professional board positions. The Committee suggested adding a question about being treated fairly and with respect.

September:

- Plans were finalized for the Professional Board applicant interviews to be conducted over two days in Lincoln: Sunday afternoon 1:00-6:00 p.m. on October 26th and all day Monday, October 27th starting at 8:30 a.m. Applicants were sent a time preference sheet to indicate their preferred date and time to be interviewed. Location will be the Settle Inn on North 27th Street in Lincoln. All Board of Health members are encouraged to participate, regardless of committee assignment.
- Staff contacted the chairs of the 23 professional boards to reaffirm their preferences in filling vacancies on their boards. In 2001 we asked what was important in terms of diversity: socio economic, gender, geographic, age, professional specialty, etc.; professional association membership; automatic reappointment of incumbents, etc. By communicating directly with boards and learning more about the dynamics of individual boards, the Board of Health is able to make better appointments that are more tailored to the needs of each individual board.

November:

• Appointments were made to the following professional boards:

Cosmetology: Judy Roubal of Lincoln was reappointed as the Cosmetologist Member. Registration for Environmental Health Specialists: Mike Gould of North Platte was reappointed as a Professional Member; and Leslie Olson from York was reappointed as laymember.

Hearing Aid Instrument Dispensers and Fitters: Edward Cohn of Omaha was reappointed as Otolaryngologist Member. There were no applicants for the professional member position, so the position will be readvertised.

Massage Therapy: Gail Anderson of Lincoln was appointed to serve as the Public Member; and Sue Kozicek also of Lincoln was reappointed as a Professional Member. Medical Nutrition Therapy: Dr. James Lane of Omaha was reappointed as the Physician Member.

Medicine and Surgery: Dr. Arthur Weaver of was reappointed as the Osteopath Member. The Medical School Faculty Member appointment was deferred to January 26, 2004. Mental Health Practice: Dr. Layne Prest of Omaha was appointed to the Certified Marriage & Family Therapy Member position; Dr. Susan Meyerle of Lincoln was appointed to serve as the Licensed Mental Health Practitioner member; Gail Lorenzen of Lincoln was appointed to serve as the Public Member; and John Atherton of Omaha was appointed to the Certified Professional Counselor Member position.

Nursing: Sandra Mann of Burwell was appointed to the Consumer Member position; Nancy Gondringer of Lincoln was reappointed to the Advanced Practice Member; and Jacqueline Ross of Omaha was appointed to the Nursing Service Administrator Member position. The nursing appointments are especially difficult as congressional district and type of care category must be balanced.

Examiners in Nursing Home Administration: Proprietary Home Member; Keith Fickenscher of Lincoln was appointed to the Nonprofit Home Member position; David Creal of Omaha was reappointed to the Proprietary Home member position; and Theresa Parker of Lincoln was reappointed to the Nursing Home Administration/College Faculty position.

Occupational Therapy Practice: R. McLaran Sawyer of Lincoln was appointed to serve as public member. The Professional Member position will be readvertised to be appointed at the January 26, 2004 Board of Health meeting.

Pharmacy: Kevin Borcher of Omaha was appointed to serve as the Hospital Pharmacist Member.

Psychologists: Daniel Bizzell of Kearney was appointed serve as the Professional Member.

Goals for 2004:

This committee continues to be very effective in casting a wide net of applicants to serve on the professional boards. We will continue our efforts in increasing our communication with the professional boards, specifically through occasional attendance at their meetings and reporting back to our Board of Health peers. We greatly value the input we receive from the various boards so that we may better do our job and make the right decisions for all. We firmly believe that by having quality candidates on the boards it ultimately improves the health care provided to all Nebraskans. We are fortunate that we have such dedicated citizens who are willing to volunteer so many hours, and we applaud this.

In 2004 we plan to continue to address the issue of diversity on the boards, and determine if Nebraska is served well by current representation.

In addition, we want to consider the practicality of keeping public member applications in a pool so they don't need to keep filling out application packages. Our goal is to increase the number of public member applicants.

We will develop a guideline for interviewing professional board applicants.

To: Members of the Nebraska State Board of Health

From: Jerry Vaughan, Chairperson of the Credentialing Review Committee Subject: The Report of the Credentialing Review Committee of the Nebraska

State Board of Health

Date: November 17, 2003

Committee Duties and Responsibilities:

The 2003 assignment is to continue to have input into the NCR process and the upcoming PREP review processes and to assist the full Board in any new credentialing reviews that arise:

Committee Members:

Jerry Vaughan, OD (Chair); David Hoover, DDS (Vice Chair); Sam Augustine, RP, PharmD; Linda Heiden; Dennis Hirschbrunner; and Les Spry, MD.

Activities for 2003:

At the January meeting of the Board's Credentialing Review Committee the committee members reviewed changes made by the occupational therapists to their credentialing review application and made its final recommendations to the full Board on these proposed changes.

The members of the full Board of Health recommended approval of the occupational therapy application with the proposed changes during its afternoon session of its January meeting.

Also at the May and July meetings the members of the Credentialing Review Committee received updates on the progress of the NCR process in general and about the upcoming PREP review of funeral directors and embalmers in particular.

At the September meeting the committee members discussed the composition of the upcoming credentialing review of CADACs and matters pertinent to the composition of the technical committee that will review this issue. The committee members were briefed on the nature of this review and the issues that the technical committee will be reviewing.

Activities for 2004:

The Committee members will present their recommendations to the full Board on the CADAC issue in time for the January 2004 bimonthly meeting.

The Credentialing Review Committee will continue to receive updates and provide input into the NCR process as well as receive progress reports on the PREP reviews that are to occur during 2004. The committee will continue to advise the full Board regarding the appointment process for any new technical review committees and the formulation of recommendations on credentialing review proposals when they come to the Board for review.

To: Members of the Nebraska State Board of Health

From: Leslie Spry, MD, Committee Chair

Subject: 2003 Report of the Public Health, Education and Legislation Committee of the

Nebraska State Board of Health

Date: November 17, 2003

Committee Duties and Responsibilities:

2003 assignments:

(1) Continue to develop electronic communication strategies (Blackboard, etc)

- (2) Develop board position statements directed toward public education and public health
- (3) Explore methods for the BOH to become more active in public health
- (4) Explore methods for the BOH to become more active in legislative activities
- (5) Plan retreats and non-Lincoln meetings

Committee Members:

Les Spry, MD, (Chair); Gary Bieganski (Vice Chair); Jeff Akerson, MD; Sam Augustine, PharmD; Kent Forney, DVM; David Hoover, DDS; and Pam List, APRN.

Activities in 2003:

The Public Health, Education, and Legislation Committee met six times in 2003. Legislation and Board communication were the main focus of our activities. Harold Borchert was our committee coordinator and staff. His efforts on behalf of the committee are recognized.

Our main focus in the early meetings of the year was on LB 56, a bill to define and refine activities of the Nebraska Board of Health. This bill also offered liability coverage for members of the Board under the same statute as provided coverage for board members that we appoint. Of the three bills that the Board agreed to support this year, two of them passed (LB 56 and LB 45). The third bill (LB 546) remains in committee for the second session.

At our January meeting, we arranged a presentation by the Nebraska Tobacco Program and activities funded by LB 1436. All members heartily supported re-funding this program for the next budget cycle.

Blackboard communication was made available for all members and legislative updates as well as committee updates were posted on Blackboard. Training was offered to those members not yet able to access the site. Dr. Augustine has been the facilitator of this project with UNMC.

The committee planned for and had its March meeting at Creighton University in Omaha. The committee formulated a proposal for the Board to request a directed 407 review of body piercing and tattoo parlors in Nebraska. This letter of request was drafted by the committee and sent to Director Dick Nelson and Senator Jim Jensen. We are awaiting action on our request. Letters of appreciation were also drafted and sent to legislators in recognition of their efforts for statewide public health departments (LB 692), anti-smoking legislation, and the Board of Health bill (LB56).

Attachment VI-c

The committee planned for and attended an update and educational session by EMS and trauma networks in the state at the May meeting. The presentation by Dean Cole, Dr. Stothert and Sherri Wren was well received. It was agreed that our committee should monitor the issue of the newly formed networks and EMS.

In July, the committee heard a presentation regarding the definition of "public member" that was being drafted by HHS. Input was given into the process for developing this for possible legislative action.

In September, after further review, it was decided not to pursue further investigation into the biologic effect of high voltage transmission lines. We heard an update on the request for directed review of tattooing and body piercing by Director Dick Nelson. An update in also anticipated in our November meeting. This meeting was also used to draft a Nebraska Board of Health Resolution in support of the Lincoln Smoke-free Air Act. This resolution was adopted and forwarded to the Governor, Lincoln-Lancaster County Board of Health, Lincoln City Council, and the Mayor of Lincoln.

The November meeting will include a discussion of malignant melanoma and the focus of public health efforts within Nebraska. Our constant agenda items in regard to public health in the state of Nebraska include smoking and alcohol abuse. The committee tries to review the current activities of the state in each of these areas at each meeting.

Goals for 2004:

- (1) Expansion of our legislative review program and focusing efforts to pass worthwhile legislation relating to public health.
- (2) Focus the Board's understanding in regards to Mental Health structure and funding within the State of Nebraska
- (3) Continue to expand the capabilities of electronic communication by the Board
- (4) Address constant agenda items including smoking, alcoholism, and obesity
- (5) Plan a non-Lincoln meeting for 2004
- (6) Expand communication between the Nebraska Board of Health and members of the Nebraska Unicameral
- (7) Review efforts in bioterrorism

RULES AND REGULATION COMMITTEE OF THE STATE BOARD OF HEALTH ANNUAL REPORT FOR 2003

Committee Duties and Responsibilities:

- All rules and regulations, both those for approval and those for review only by the Board, will
 come before this committee. Responsible for exploring the process of rules and regulation
 evaluation. Work with Blackboard project to improve communication. Review regulations
 prior to BOH meetings in order to enhance discussion and improve efficiency.
- Develop a mechanism for the evaluation of standing HHS regulations, and recommendations for change.

Committee Members:

Kent Forney, DVM (Chair); Sam Augustine, RP, PharmD (Vice Chair) Dennis Hirschbrunner, PE; Gary Bieganski; David Hoover, DDS; and Jerry Vaughan, OD.

Staff: Joyce Davidson

Activities for 2003:

January 27, 2003: No committee meeting

March 17, 2003

Approved the following regulations:

Title 172, Professional and Occupational Licensure Regulations, Nebraska Administrative Code, Amended Chapters

- 38, Schools of Electrology
- 81, Massage Therapists
- 82, Massage Therapy Establishments
- 83, Massage Therapy Schools

May 19, 2003

Approved the following regulations:

Title 172, Professional and Occupational Licensure Regulations, Nebraska Administrative Code, Amended Chapter 37, Practice of Physical Therapy

Attachment VI-d

Reviewed the following regulations:

Title 177, Repeals Chapter 3, Rules and Regulations Relating to Prenatal Serology

Title 178, Environmental Health Regulations, Nebraska Administrative Code, Amended Chapter 12, Water Well Construction, Pump Installation and Water Well Decommissioning Standards

Title 179, Public Water System Regulations, Nebraska Administrative Code:

Amends Chapter 2, Sections 001 and 002, Chapters 3,4,14,16 and 17

Repeals Chapter 2, Section 11 and replaces with New Chapter 11

Repeals Chapter 2, Section 12 and replaces with New Chapter 12

Repeals Chapter 2, Section 13 and replaces with New Chapter 13

New Chapters 18 and 19

July 21, 2003

Approved the following regulations:

Title 172, Professional and Occupational Licensure, Nebraska Administrative Code, Amended Chapters

- 11, Certification of Out-of-Hospital Emergency Care Providers
- 12, Emergency Medical Services
- 13, Emergency Medical Services Training Agencies

168, Environmental Health Specialist

Reviewed the Following Regulations:

New Title 186, Health Registries and Release of Information, Nebraska Administrative Code, New Chapters

- 1, Cancer Registry
- 2, Brain and Head Injury Registry
- 3, External Cause of Injury Registry
- 4, Parkinson's Disease Registry
- 5, Release of Medical Records and Health Information

With adoption of Title 186 and Chapters 1-5, Title 174, Vital Statistics, the following Chapters are being repealed:

- 5, Rules and Regulations Governing Cancer Registry of the State of Nebraska
- 15, Rules and Regulations Concerning the Brain and Head Injury Registry of the State of Nebraska
- 16, Rules and Regulations Governing the External Cause of Injury Registry
- 17, Rules and Regulations Governing Parkinson's Disease Registry of Nebraska

Title 175, Health Care Facilities and Services, Nebraska Administrative Code, Amended Chapters

- 3, Centers for the Developmentally Disabled (FEES ONLY)
- 4, Assisted Living Facilities
- 5, Adult Day Services
- 7, Health Clinics
- 8. Pharmacies
- 9, Hospitals
- 12, Skilled Nursing Facilities, Nursing Facilities, and Intermediate Care Facilities
- 14, Home Health Agencies
- 15, Respite Care Services
- 16, Hospice
- 17, Intermediate Care Facilities for the Mentally Retarded
- 18, Substance Abuse Treatment Centers
- 19, Mental Health Centers

September 2, 2003: No committee meeting

November 17, 2003:

Reviewed the following regulations:

Title 177, Chapter 1, Analysis for the Determination of the Alcohol Content in Blood or Breath

Title 178, Environmental Health Regulations, Nebraska Administrative Code, Chapters

- 2, Operation and Management of Public Swimming Pools
- 4, Design Regulations for Swimming Pool Standards
- 12, Water Well Construction, Pump Installation, and Water Well Decommissioning Standards

Title 179, Public Water System Regulations, Nebraska Administrative Code

- Repeal of Section 2-006 and replace with new Chapter 6, Variances and Exemptions
- Effective May 1, 2004, repeal Section 2-008 and replace with new Chapter 21, Operation and Maintenance of Transient Non-Community Public Water Systems and a new Chapter 22, Operation and Maintenance of Community and Non-Transient Non-Community Public Water Systems.
- Repeal Section 2-009 and replace with a new Chapter 9, Permit to Operate a Public Water System.

Goals for 2004:

- Use Blackboard to send draft regulations electronically to committee and Board members. Individuals will receive an e-mail indicating that draft regulations are posted on Blackboard.
- Plan for the review and approval of Credentialing and Public Health Assurance Division's regulations as a result of LB 242 (Fee changes).